



# भारत का राजपत्र

## The Gazette of India

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प्रसाधारण

EXTRAORDINARY

भाग II—खण्ड 1  
PART II—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. ११] नई दिल्ली, बृहस्पतिवार, मार्च 26, 1992/चैत्र 6, 1914  
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इस भाग में विशेष पृष्ठ संख्या दे जाती है जिससे कि यह ग्रन्थ संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed  
as a separate compilation.

## MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 26th March, 1992/Chaitra 6, 1914 (Saka)

The following Act of Parliament received the assent of the President on the 26th March, 1992, and is hereby published for general information:—

### THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 1992

No. 2 OF 1992

[26th March, 1992.]

An Act further to amend the Representation of the People Act, 1951.

Be it enacted by Parliament in the Forty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Representation of the People (Amendment) Act, 1992.

(2) It shall be deemed to have come into force on the 4th day of January, 1992.

43 of 1951.

2. In the Representation of the People Act, 1951 (hereinafter referred to as the principal Act), for section 52, the following section shall be substituted, namely:—

'52. If a candidate, set up by a recognised political party,—

(a) dies at any time after 11 A.M. on the last date for making nominations and his nomination is found valid on scrutiny under section 36; or

Short title  
and  
commencement.

Substitution  
of new  
section  
for  
section  
52.

Death of  
candidate  
before  
the  
poll.

(b) whose nomination has been found valid on scrutiny under section 36 and who has not withdrawn his candidature under section 37, dies,

and in either case, a report of his death is received at any time before the publication of the list of contesting candidates under section 38; or

(c) dies as a contesting candidate and a report of his death is received before the commencement of the poll,

the returning officer shall, upon being satisfied about the fact of the death of the candidate, by order, countermand the poll and report the fact to the Election Commission and also to the appropriate authority and all proceedings with reference to the election shall be commenced anew in all respects as if for a new election:

Provided that no order for countermanding a poll should be made in a case referred to in clause (a) except after the scrutiny of all the nominations including the nomination of the deceased candidate:

Provided further that no further nomination shall be necessary in the case of a person who was a contesting candidate at the time of the countermanding of the poll:

Provided also that no person who has given a notice of withdrawal of his candidature under sub-section (1) of section 37 before the countermanding of the poll shall be ineligible for being nominated as a candidate for the election after such countermanding.

*Explanation.*—For the purposes of this section, “recognised political party” means a political party recognised by the Election Commission under the Election Symbols (Reservation and Allotment) Order, 1968.’

Repeal  
and  
Saving.

3. (1) The Representation of the People (Amendment) Ordinance, 1992, is hereby repealed.

Ord. 1 of  
1992.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

K. L. MOHANPURIA,  
Secy. to the Govt. of India.